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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,761	08/01/2004	Kun-Chih Wang	NAUP0582USA	4760
27765 7590 11/29/2007 NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			EXAMINER KARIMY, MOHAMMAD TIMOR	
			ART UNIT	PAPER NUMBER
			2815	
			NOTIFICATION DATE	DELIVERY MODE
			11/29/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

winstonhsu.uspto@gmail.com
Patent.admin.uspto.Rcv@naipo.com
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Office Action Summary	Application No.	Applicant(s)	
	10/710,761	WANG, KUN-CHIH	
	Examiner	Art Unit	
	Mohammad Timor Karimy	2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 recites the limitation "the monitor pattern" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-8 and 10-16 are rejected under 35 U.S.C. 102(b) as being anticipated by West et al. (US Patent 6,521,975 B1).

With respect to claim 1, West discloses in figure 1A, a scribe line structure, comprising:

a substrate 140;

a plurality of dielectric layers 106 formed on the surface of the substrate 140 comprising a sacrificial structure which functions as the claimed process monitor pattern set in a cutting area 111.

FIG. 1A is a cross-sectional view of a semiconductor device. The device includes a substrate 100 with a top layer 102 and a bottom layer 106. A central region 110 is defined by a dummy metal structure 111. The structure includes various layers and regions labeled with numbers 100 through 163, including a process monitor 105. A magnetic field B is indicated by an upward arrow.

With respect to claim 3, West discloses the scribe line structure of claim 1 wherein the dummy metal structure (see fig. 1A above) comprises a plurality of dummy vias 130.

With respect to claim 4, West discloses the scribe line structure of claim 1 wherein the dummy metal structure comprises a plurality of metal layers 122 (see fig. 1A above).

With respect to claim 5, West discloses the scribe line structure of claim 1 wherein the process monitor pattern is made of metal (column 7 lines 32-39).

With respect to claim 6, West discloses the scribe line structure of claim 1 wherein the process monitor pattern comprises metal structure, which is capable of functioning as alignment marks (West's device meets the structural limitations and as such can perform as alignment marks or test keys).

With respect to claim 7, West discloses the scribe line structure of claim 1 wherein the surface of the substrate further comprises a protective layer 160 covering two sides of the surface of dielectric within the cutting area (see figure 1A).

With respect to claim 8, West discloses in figure 1A a scribe line structure comprising:

a substrate 140 the surface of the substrate comprising at least a cutting area 111;

a plurality of dielectric layers 106 formed on the surface of the substrate 140 comprising a sacrificial structure which functions as the claimed process monitor pattern set in a cutting area 111.

West further teaches a heat irradiative structure (dummy metal structure – see fig. 1A above) formed in the plurality of dielectric layers 106 connecting the plurality of

dielectric layers with the surface of the substrate and exposed in the cutting area 111 (metal layers 122-123 exposed in cutting area 111).

With respect to claim 10, West discloses in figure 1A the scribe line structure of claim 8 wherein the heat irradiative structure is a dummy metal structure.

With respect to claim 11, West discloses the scribe line structure of claim 10 wherein the dummy metal structure comprises a plurality of dummy vias (130 & 131).

With respect to claim 12, West discloses in figure 1A the scribe line structure of claim 10 wherein the dummy metal structure comprises a plurality of dummy metal layers.

With respect to claim 13, West discloses the scribe line structure of claim 8 wherein the heat irradiative structure (dummy metal region) connects with the process monitor pattern (see figure 1A above).

With respect to claim 14, West discloses in figure 1A the scribe line structure of claim 8 wherein the process monitor pattern is made of metal.

With respect to claim 15, West discloses the scribe line structure of claim 8 wherein the process monitor pattern comprises metal structure, which is capable of functioning as alignment marks or test keys (West's device meets the structural limitations, and as such can perform as alignment marks or test keys).

With respect to claim 16, West discloses in figure 1A the scribe line structure of claim 8, wherein the surface of the substrate further comprises a protective layer 160 covering two sides of the surface of dielectric within the cutting area 111.

With respect to claim 17, West discloses in figure 1A the scribe line structure of claim 1, wherein the process monitor pattern is under the cutting area 111.

With respect to claim 18, West discloses in figure 1A the scribe line structure of claim 8, wherein **the monitor pattern** is under the cutting area 111.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over West in view of Chooi et al. (US Patent 6,284,657 B1).

With regard to claim 2 and 9, West discloses the scribe line structure of claims 1 and 8 as recited in the rejections of claims 1 and 8 above. West further teaches a plurality of dielectric layers comprising metal layers; however, West does not explicitly teach the dielectric layers having a dielectric constant less than or equal to 3.

Nonetheless, Chooi teaches in column 8 lines 78-52 a dielectric constant of K=1.9 to 2.1 (dielectric constant for Teflon) for the dielectric and barrier layers. West and Chooi are combinable because they are from the same field of endeavor (namely using low-K dielectric materials within the metal interconnects). At the time of the invention, it would have been obvious to one of ordinary skill in the art to use Teflon having a dielectric constant of 1.5 to 2.1 as taught by Chooi in West's dielectric layers.

The motivation for doing so would be to use low-K dielectric to reduce the parasitic capacitance in the semiconductor device (see column 2 lines 56-60). Therefore, it would have been obvious to combine West and Chooi for the benefit of reducing parasitic capacitance.

Response to Arguments

7. Applicant's arguments filed on 10/25/2007 have been fully considered but they are not persuasive.

Applicant admits that scribe line region and cutting area are synonymous terms with which examiner agrees. Nonetheless, the prior art, West, teaches a cutting area 111, which could also be described as the scribe line region. Examiner agrees with applicant that there are differences between applicant's device and that of West's; however, those differences, while raised in the Remarks/Arguments, have not been included in the claims. As such, the scope of claims 1 and 8 remain broad, and the device taught by West in figure 1A meets the limitations of the claims as discussed above.

Therefore, applicant's arguments are not persuasive.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Timor Karimy whose telephone number is 571-272-9006. The examiner can normally be reached on 8:30 AM - 5:00 PM.

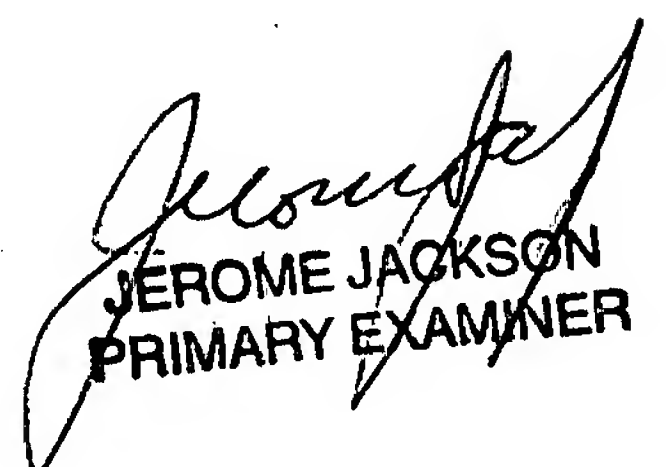
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtk


JEROME JACKSON
PRIMARY EXAMINER